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MURPHY & KING PROFESSIONAL CORPORATION

1055 Thomas Jefferson Street, NW

Suite 400

WASHINGTON, DC 20007

EXAMINER

MCCORMICK, GABRIELLE A

ART UNIT

PAPER NUMBER

3629

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary**Application No.**

10/736,641

Applicant(s)

CAMERON ET AL.

Examiner

Gabrielle McCormick

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 April 2011.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 3-8, 11-13, 15-19, 22-27, 30 and 32-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3-8, 11-13, 15-19, 22-27, 30 and 32-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Status of Claims

1. This action is in reply to the amendment filed on April 25, 2011.
2. Claim 1 has been amended.
3. Claims 1, 3-8, 11-13, 15-19, 22-27, 30 and 32-34 are currently pending and have been examined.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6. Claim 1 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.
7. Claim 1 recites "inputting examination parameters into a computer operable to execute computer program instructions for: ...preparing a report of the examination comprising assigning a first result comprising authentic or fake, wherein, if the first result is authentic, then assigning a second result comprising original or altered, and wherein, if the second result is altered, then assigning a third result comprising an alteration condition..."
8. The specification does not provide a disclosure for inputting examination parameters into a computer operable to execute computer program instructions. The disclosure does not teach any inputting of parameters. Further, the disclosure teaches that an authenticator, not a computer program, assigns first, second and third results. (See page 6, line 12- page 7, line 17).
9. Applicant argues that "a skilled artisan would readily understand that this step must be taken in order to provide the results of the examination on a website. As such, the fact that the results are

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reported on a website provides adequate support for inputting the examination parameters into a computer."

10. The reporting of results (which are defined by the claim as a first result of authentic or fake, a second result of original or altered and a third result of alteration condition) does not inherently provide support for the inputting of the examination parameters into a computer, as argued by Applicant. The Examiner maintains that the specification does not provide support for the examination parameters inputted into a computer for preparing a report. Rather, the Examiner asserts that a human user performs the comparing and determining steps, and therefore the examination, not a computer.
11. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
12. Claim 27 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
13. Claim 27 contains a phrase that lacks proper antecedent basis. The phrase, "the step of providing an encoded test link" lacks proper antecedent basis. Claim 1 recites "providing a link that is accessible via a webpage to access the report."
14. Applicant argues that "the step of providing an encoded test link is an additional step" and does not require antecedent basis.
16. The Examiner maintains that claim 27 is indefinite because claim 1 refers to "providing a link" and claim 27 recites "the step of providing an encoded text link". It is the term "the step" which renders the claim indefinite because it is not clear whether "the step" refers to the "providing a link" step recited in claim 1 or is an additional step with an additional link (i.e., an encoded text link) to the previously provided link. The use of the term "the step" appears to relate claim 27 back to claim 1.

Claim Rejections - 35 USC § 101

17. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

18. Based upon consideration of all of the relevant factors with respect to the claim as a whole, claims 1 and 30 are held to claim an abstract idea, and are therefore rejected as ineligible subject matter under 35 U.S.C. 101. The following is the rationale for this finding:
19. Firstly, the recitation of a machine is insufficient. Claim 1 recites that a computer assigns a registration number, prepares a report and provides a link to the report. The heart of the invention is directed to the analysis of golf equipment to determine authenticity, alteration status and conditions. These aspects of the invention are performed by a human authenticator, thus the actions of assigning a number, preparing and report and providing a link are merely insignificantly related to the performance of the invention. Secondly, no transformation (either express or inherent) exists. Claim 30 only inherently uses a machine when the first entity uses the code in a webpage. As discussed above, the heart of the invention is not claimed as being performed by a particular machine, thus this inherent use of a machine is merely insignificantly related to the method steps. Further, no transformation exists.
20. Dependent claims 3-8, 11-13, 15-19, 22-27 and 32-34 when analyzed as a whole are held to be ineligible subject matter and are rejected under 35 U.S.C. 101 because the additional recited limitations fail to establish that the claims are not directed to an abstract idea. The additional limitations merely involve further identifying, comparing and reporting steps that are performed without a machine or only use insignificant extra-solution activity (the use of the internet).
21. Applicant incorrectly argues that the Examiner applied *In re Bilski* to the above rejection and therefore the rejection is improper. The Examiner notes that the above rejection does not mention *In re Bilski* nor does it rely solely on the "machine or transformation" test.

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22. The Examiner maintains that the use of a machine is merely insignificantly related to the method steps as a means for a human user to report results.

Claim Rejections - 35 USC § 103

23. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

24. **Claims 1, 3-8, 13, 15-16, 18-19, 23-27 and 32-34** are rejected under 35 U.S.C. 103(a) as being unpatentable over Solheim (US Pub. No. 2002/0077956) in view of Knowles et al (US Pat. No. 6,182,897, hereinafter referred to as "Knowles"), in view of Callaway (pages documented from the Internet Archive from November 29, 2002 at <http://web.archive.org/web/2001102005809/www.callawaygolfpreowned.com/trade-rules.html>; <http://web.archive.org/web/20020601221544/www.callawaygolfpreowned.com/guarantee.html>; <http://web.archive.org/web/20021203111831/www.callawaygolfpreowned.com/c016871c.html>; <http://web.archive.org/web/20020601224341/www.callawaygolfpreowned.com/condition.html>), in view of Mehren ("Letters by Duchess of Windsor, Prince to Be Published; [Home Edition]". Los Angeles Times (pre-1997 Fulltext). Los Angeles, Calif.: Apr 26, 1986, pg. 6).
25. **Claims 1, 27 and 32-34:** Solheim discloses
- *receiving golf equipment to be authenticated* (P[0020]);
 - *identifying relevant features of the equipment; comparing the features to predetermined manufacturing specification and determining whether the features conform to the manufacturing specifications; determining authenticity of the golf equipment.* (P[0020]: golf equipment is received by manufacturer for inspection of the items to verify authenticity and P[0016]: during bidding, manufacturer sends "factory original specifications" to the bidder so

that the bidder can also determine "whether any radical changes have been made to the clubs". Thus, it is implicit that during the manufacturer's verification of authenticity, the manufacturer would also compare the equipment to the factory specifications to determine conformity. The bidder also requests an authenticity determination service.)

- assigning a *unique registration number* to the equipment each time it is provided for authentication (P[0017]: a reference to the auction item number (i.e., a unique registration number) with detailed information regarding requested services (i.e., a request for authentication) and the identity of the bidder is stored on the manufacturer's system.)
26. Solheim does not disclose providing access to a website to indicate the status of examination.
27. Knowles, however, discloses enabling a customer to track the progress of ordered equipment during various phases of manufacture using the manufacturer's website. (Fig. 3; E).
28. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included tracking the status, as disclosed by Knowles in the system disclosed by Solheim, for the motivation of providing a method of informing the customer about the progress of his item during the authentication process.
29. Solheim discloses that the bidder receives factory specifications so that he can determine whether "any radical changes have been made to the clubs, such as reshafing with an incorrect type of shaft." (P[0016]: thus determining alteration status and condition). Solheim does not disclose the receiver as determining the alteration status and condition or inputting examination parameters into a computer operable to prepare a report of the examination comprising results or providing a link to access the report.
30. Callaway, however, discloses the receiver of the clubs as performing the review for alteration. The alteration information is provided in a report (Callaway; pg. 4-5: "Lie Angle" and "Length"). The reports are accessed via a webpage and contain various results that include a unique number (SKU #), Condition information, information that indicates an original condition (Lie Angle: Standard). (pages 4-5). Details regarding the conditions are disclosed on page 6.

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31. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have included result information as a web accessible report, as disclosed by Callaway, in the system of Solheim for the motivation of providing information regarding the authentication process in a manner that is easily accessible to the bidder. Solheim discloses uses web forms for the bidder to use to request the services. It is obvious for Solheim to be expanded to provide report information to the bidder in a web-based manner as well.
32. Further, it would have been obvious to one of ordinary skill in the art at the time of the invention to have included reporting alteration conditions, in the system of Solheim for the motivation of informing the bidder of all conditions of the equipment as received. It is obvious to do so in the event that the bidder would request servicing or repair of the equipment.
33. Solheim discloses verifying authenticity, but does not disclose a report. Callaway discloses a report, but does not disclose a result of fake or authentic.
34. Mehren, however, discloses an authentication process where a report indicates a forgery (thus a fake). (pg. 1; para. 11).
35. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have included a report that indicates a fake, as disclosed by Mehren, in the system of Solheim for the motivation of alerting the bidder that the equipment is not authentic so that the bidder can determine actions to take with the seller.
36. The Examiner asserts that the data identifying **the results as "authentic" or "fake; "original" or "altered"** is simply a label for **the results** and adds little, if anything, to the claimed acts or steps and thus does not serve to distinguish over the prior art. Any differences related merely to the meaning and information conveyed through labels (i.e., **the specific result designation**) which does not explicitly alter or impact the steps of the method does not patentably distinguish the claimed invention from the prior art in terms of patentability.
37. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to **have the results of "authentic" or "fake and "original" or "altered" included in the report of Solheim/Callaway** because **the result data** does not functionally alter

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or relate to the steps of the method and merely labeling the information differently from that in the prior art does not patentably distinguish the claimed invention.

38. The Examiner asserts that the data identifying **the alteration condition and the product condition** are simply labels and adds little, if anything, to the claimed acts or steps and thus does not serve to distinguish over the prior art. Any differences related merely to the meaning and information conveyed through labels (i.e., **the specific result designation**) which does not explicitly alter or impact the steps of the method does not patentably distinguish the claimed invention from the prior art in terms of patentability.
39. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to **grip replaced and shaft replaced and condition results such as mint, good, fair, poor, etc** because **the result data** does not functionally alter or relate to the steps of the method and merely labeling the information differently from that in the prior art does not patentably distinguish the claimed invention.
40. **Claims 3-8, 13, 15 and 19:** Solheim discloses inspecting the equipment using factory specifications, but does not provide elaboration of the inspection process.
41. Callaway, however, on pages 4 and 5, discloses features of a certified preowned club, including physical dimensions (loft), materials (graphite), manufacturer markings ("Callaway" in the photo), shape (driver), stamping (see bottom of club in photo), shaft (Callaway BBUL Graphite) and condition (fair). Callaway provides definitions for grading the condition of preowned clubs based on the number of rounds of golf played. (pg. 6). Callaway receives the club and performs a "meticulous inspection" as part of the certification process. (pg. 3). Though Callaway does not disclose a first or second view, it is inherent that the club is viewed numerous times and from numerous angles during the inspection. Callaway also discloses an authentication certificate. (page 3).
42. Callaway does not disclose the *finish, paint fill grip or weight*.
43. However, these differences are only found in the **nonfunctional descriptive data** and are not functionally involved in the steps recited. **The identification of relevant features would be**

performed regardless of specific features such as finish, paint fill, grip and weight. Thus, this descriptive data will not distinguish the claimed invention from the prior art in terms of patentability, *see In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994).

44. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included finish, paint fill, grip and weight because such data does not functionally relate to the steps in the method claimed and because the subjective interpretation of relevant features does not patentably distinguish the claimed invention. It is obvious that in Callaway's disclosure of additional features such as gender, lie angle, hand and flex that the relevant features that Callaway deems necessary to aiding in the sale of certified preowned clubs is provided and that should additional information be necessary, Callaway would be capable of providing it.
45. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have included examination details, as disclosed by Callaway, in the system of Solheim for the motivation of ensuring a thorough inspection has been performed. It is obvious that Solheim would perform such an inspection during the verification.
46. **Claims 16 and 18:** Solheim and Callaway are combined, above. Callaway further discloses a "Certified Preowned title" (pg. 3). The word "Callaway" on the pictured "Certificate of Authenticity" is a seal. It cannot be determined whether "Callaway" is embossed. Further, a picture or a reference number is not disclosed with the Certificate, however, on page 4, a photo and a SKU # are provided for a club offered for sale as a certified preowned club.
47. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have included the photo and SKU with the certificate for the motivation of providing increased assurance to the purchaser of the club that the club is traceable to the certificate. It is old and well known to provide details linking a physical product to a document that certifies its characteristics for quality assurance and traceability purposes. Embossing the word "Callaway"

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would be an obvious addition to the certificate as a means of preventing forged copies of the certificate.

48. **Claim 23-26:** Solheim discloses an in-transit process where the golf equipment is mailed to the manufacturer for authentication. A request form is filled out by the bidder to inputting specific services (thus the authenticator is informed) (P[0018]); the shipping information is automatically sent to the seller (P[0020]).
49. Solheim does not disclose a packing slip, however, the Examiner takes **Official Notice** that packing slips are old and well known.
50. It would have been obvious to one of ordinary skill in the art at the time of the invention to have included a packing slip, in the system of Solheim for the motivation of ensuring that the request for services match the items mailed to the manufacturer.
51. **Claims 11, 12 and 17** are rejected under 35 U.S.C. 103(a) as being unpatentable over Solheim (US Pub. No. 2002/0077956) in view of Knowles et al (US Pat. No. 6,182,897, hereinafter referred to as "Knowles"), in view of Callaway (pages documented from the Internet Archive from November 29, 2002 at <http://web.archive.org/web/20011020005809/www.callawaygolfpreowned.com/trade-rules.html>; <http://web.archive.org/web/20020601221544/www.callawaygolfpreowned.com/guarantee.html>; <http://web.archive.org/web/20021203111831/www.callawaygolfpreowned.com/c016871c.html>; <http://web.archive.org/web/20020601224341/www.callawaygolfpreowned.com/condition.html>), in view of Mehren ("Letters by Duchess of Windsor, Prince to Be Published; [Home Edition]". Los Angeles Times (pre-1997 Fulltext). Los Angeles, Calif.: Apr 26, 1986, pg. 6) in further view of Chester (US Pub. No. 2004/0054888).
52. **Claims 11 and 12:** Solheim does not disclose *comparing the equipment to a previously prepared record of the equipment*.
53. Chester, however, discloses "verifying the authenticity and ownership of a registered item or article by querying the accrediting authority", transferring an item, issuing a new certification of

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authenticity to new purchaser and registering the transferred item or article and new owner. (P[0016]). During verification and title transfer, the correct owner and "a static digital image" (i.e., picture) is provided. (P[0032]). Thus, Chester provides access to a previous record and a picture.

54. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have included comparison to previous records and pictures, as disclosed by Chester, in the system of Solheim for the motivation of verifying ownership at the authentication. Solheim would be motivated to access previous records and photos to ensure that a club received had not been stolen from a registered owner. It is old and well known that companies track the ownership of products sold for various purposes, including offering new product promotions.

55. **Claim 17:** Solheim/Callaway does not disclose *providing said reference number on the equipment*.

56. Chester, however, discloses a "hologram with embedded attributes with encrypted protection and password or personal identification number...for use with each separate item or article to be authenticated by each authorized distributor..." (P[0029]).

57. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have included indicia and reference number on an authenticated item, as disclosed by Chester, in the system of Callaway for the motivation of linking the item to a certificate of authentication.

58. **Claim 22** is rejected under 35 U.S.C. 103(a) as being unpatentable over Solheim (US Pub. No. 2002/0077956) in view of Knowles et al (US Pat. No. 6,182,897, hereinafter referred to as "Knowles"), in view of Callaway (pages documented from the Internet Archive from November 29, 2002 at <http://web.archive.org/web/20011020005809/www.callawaygolfpreowned.com/trade-rules.html>;

<http://web.archive.org/web/20020601221544/www.callawaygolfpreowned.com/guarantee.html>;

<http://web.archive.org/web/20021203111831/www.callawaygolfpreowned.com/c016871c.html>;

<http://web.archive.org/web/20020601224341/www.callawaygolfpreowned.com/condition.html>), in view of Mehren ("Letters by Duchess of Windsor, Prince to Be Published; [Home Edition]". Los

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Angeles Times (pre-1997 Fulltext). Los Angeles, Calif.: Apr 26, 1986, pg. 6) in further view of Harreld ("Scrutinizing the numbers". InfoWorld. San Mateo: Aug. 19, 2002. Vol 24, Iss. 33; pg. 35).

59. **Claim 22:** Solheim/Callaway does not disclose a color-coded certificate based on results.
60. Harreld, however, discloses the executive receive color-coded reports highlighting any variances from performance goals. (pg. 2; para. 12).
61. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have included color coding certificates based on results, as disclosed by Harreld, in the system of Callaway for the motivation of providing a visual alert. For example, if a club was listed as Condition: Very Good, color-coding would provide a visual clue that would direct potential buyers to that listing and therefore increase the likelihood of selling the club.
62. **Claim 30** is rejected under 35 U.S.C. 103(a) as being unpatentable over Callaway (pages documented from the Internet Archive from November 29, 2002 at <http://web.archive.org/web/2001102005809/www.callawaygolfpreowned.com/trade-rules.html>; <http://web.archive.org/web/20020601221544/www.callawaygolfpreowned.com/guarantee.html>; <http://web.archive.org/web/20021203111831/www.callawaygolfpreowned.com/c016871c.html>; <http://web.archive.org/web/20020601224341/www.callawaygolfpreowned.com/condition.html>) in view of Solheim (US Pub. No. 2002/0077956) in view of Knowles et al (US Pat. No. 6,182,897, hereinafter referred to as "Knowles") in view of Bernard (US Pub. No. 2003/0171927).
63. **Claims 30:** Callaway discloses a method where used Callaway golf clubs can be traded in for either new or previously owned clubs. The method involves mailing the club for trade to Callaway (pg. 1; III), verifying the club (pg. 1; VI) and returning an unacceptable club (pg. 2; bullets 5&6: thus the golf equipment is returned from the second entity to the first entity). Clubs that are accepted (i.e., authentication is determined) are given a "Certified Preowned title" (i.e., results are reported) after passing a "meticulous inspection." (page 3). Callaway provides a SKU # (i.e., a unique registration number -pg. 4). It is obvious that as the manufacturer of the preowned clubs,

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Callaway would have access to manufacturing specifications and would therefore determine whether the features of the traded clubs conform to the manufacturing specifications. It is inherent that as the manufacturer, Callaway is an authorized authenticator. Callaway reports the results (pg. 4-5) on a web page.

64. Callaway discloses performing a review for alteration. The alteration information is provided in a report (Callaway; pg. 4-5: "Lie Angle" and "Length").
65. Callaway discloses *assigning unique registration numbers to the golf equipment each time it is provided for authentication.*
66. Callaway further discloses access to an authentication website to access the results. (pg. 4-5 contain the results via a link ("Great Big Bertha Driver").)
67. Callaway discloses that results are grouped into at least *three categories*. (pg. 6 discloses the categories of "Very Good", "Good" and "Fair"). Additionally, categories of results are provided on pages 4-5: "Condition", "Gender", "Club", "Loft", "Lie Angle", "Hand:", "Flex", "Shaft Material", "Length", "Shaft Type", "Headcover", "Price".
68. Callaway doesn't disclose returning golf equipment if the equipment passes the verification.
69. Solheim, however, discloses authentication services that inspect merchandise prior to its being offered for sale and providing an authentication opinion. (P[0004]). It is obvious that the merchandise it provided to the authenticator (second entity) and returned to the first entity prior to its sale.
70. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have included authentication services where the merchandise is returned to the owner, as disclosed by Solheim, in the system of Callaway for the motivation of providing a new means of generating revenue for Callaway. By offering a Callaway authentication service for a fee, Callaway would benefit from increased profits for a service that they are already equipped to perform and the customer would benefit by being able to offer his clubs for sale at a higher price as a result of the Callaway authentication. Solheim teaches that authentication services already exist, therefore, the combination with Callaway is merely a combination of old and well known

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elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

71. Callaway/Solheim does not disclose providing a link that is accessible via a website to indicate the status of examination.
72. Knowles, however, discloses enabling a customer to track the progress of ordered equipment during various phases of manufacture using the manufacturer's website. (Fig. 3; E).
73. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included tracking the status, as disclosed by Knowles in the system disclosed by Solheim, for the motivation of providing a method of informing the customer about the progress of his item during the authentication process.
74. Callaway discloses reporting results via a web page (pg. 4-5) but does not disclose that a link to these results is provided from the second entity to the first entity.
75. Bernard, however, discloses a third party (i.e., second entity) verifying and certifying information regarding an applicant. The results are available via a URL such that the applicant (first entity) can provide the URL on his resume for an employer (third entity) to view the results via the Internet. (P[0031]).
76. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have included a URL to access results, as disclosed by Bernard, in the system of Callaway for the motivation of providing convenient means of transmitting results data. As Callaway already posts results on a web page, it is inherent that a URL exists for the web page and therefore the provision of a URL as a means to access the result data is an obvious expansion of Callaway.
77. Further, the combination with Callaway is merely a combination of old and well known elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.
78. Callaway does not disclose the first entity using the registry engine code in a webpage.

79. Solheim, however, discloses that sellers cut and paste hyperlinks into a webpage displaying an item for auction. (P[0015]).
80. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have included a first entity cutting and pasting a URL into a webpage, as disclosed by Solheim, in the system of Callaway since the claimed invention is merely a combination of old and well known elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

Response to Arguments

81. Applicant's arguments with respect to claims 1 and 30 have been considered but are not persuasive.
82. Solheim discloses that **the bidder** receives factory specifications so that he can determine whether "any radical changes have been made to the clubs, such as reshafing with an incorrect type of shaft." (P[0016]; thus determining alteration status and condition). Solheim does not disclose **the receiver** as determining the alteration status and condition.
83. Callaway discloses the receiver of the clubs (i.e., Callaway) as performing the review for alteration. The alteration information is provided in a report (Callaway; pg. 4-5: "Lie Angle" and "Length"). The reports are accessed via a webpage and contain various results that include a unique number (SKU #), Condition information, information that indicates an original condition (Lie Angle: Standard). (pages 4-5). Details regarding the conditions are disclosed on page 6.
84. The Applicant argues that Callaway's use of a "Representative Photo" shows two different club heads should be understood that Callaway is "unable to determine the actual loft angle" and that it is "apparent that Callaway does not conduct any comparison of the actual club head with predetermined manufacturing specifications".
85. The Examiner disagrees that the use of a "Representative Photo" should be understood to teach that Callaway does not perform comparisons with manufacturing specifications. Callaway

specifically discloses that clubs with "non-factory shafts" will not be accepted. (page 2, bullet 6).

Thus, an inspection is performed to determine alteration status and condition. The Examiner further asserts that the parameters of "Lie Angle" and "Length" that are reported on pages 4 and 5 are indications of alteration status and condition.

86. The Examiner further maintains that the results reported (authentic or fake; original or altered and alteration condition) do not functionally alter the method because a report would be prepared regardless of the results that comprise the report.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gabrielle McCormick whose telephone number is (571) 270-1828. The examiner can normally be reached on Monday - Thursday (5:30 - 4:00 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jamisue Plucinski can be reached on (571) 272-6811. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3629

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/G. M./
Examiner, Art Unit 3629

/Jonathan Ouellette/
Primary Examiner, Art Unit 3629